

Dkt. 76581/JPW/MC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jacob Bar-Tana and Ihor Bekersky
U.S. Serial No. : 10/585,017
Filed : as S371 national stage of PCT
International Application No.
PCT/IL2004/001185
For : METHODS OF ADMINISTERING 3,3,14,14
TETRAMETHYL HEXADECANE 1,16 DIOIC
ACID

1185 Avenue of the Americas
New York, New York 10036
September 22, 2008

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMUNICATION IN RESPONSE TO JULY 24, 2008
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This Communication is submitted in response to the July 24, 2008 Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the July 24, 2008 Notification is attached herewith as **Exhibit A**; and is due September 24, 2008. Accordingly, this response is being timely filed.

The July 24, 2008 Notification indicates that the oath or declaration initially filed is unsigned, and a signed oath or declaration is required. However, on July 31, 2008 applicants filed with the U.S. Patent and Trademark Office a Communication Forwarding Signed Inventors' Declaration and Power of Attorney, a copy of which is attached hereto as **Exhibit B**. Applicants attached a signed inventors' Declaration and Power of Attorney as **Exhibit 1** to the July 31, 2008 Communication, and another copy is attached hereto. Finally, a stamped return receipt postcard confirming receipt of the July 31, 2008 Communication and Signed Inventors' Declaration on August 4, 2008 is attached hereto as **Exhibit C**.

Applicants: Jacob Bar-Tana and Ihor Bekersky
U.S. Serial No.: 10/585,017
Filed: June 28, 2006 as §371 national stage of PCT
International Application No. PCT/IL2004/001185
Page 2

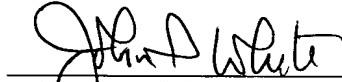
In addition, the July 24, 2008 Notification required that a fee be paid with the late submission of the inventors' declaration. In this regard, a check in the amount of \$65.00 accompanied the aforementioned July 31, 2008 Communication.

In summary, applicants request that the Communication filed July 31, 2008 including the signed Inventors' Declaration and late filing surcharge of \$65.00 be treated as a complete response to the July 24, 2008 Notification.

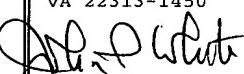
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,


John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. No. (212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



September 22, 2008
John P. White
Date
Registration No. 28,678

09/25/2008 LLANDGRA 00000011 033125 10585017

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EXHIBIT A



1567/76581
IPad LCM

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/585,017	Jacob Bar-Tana	1567/76581/JPW/CH
23432 COOPER & DUNHAM, LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036		INTERNATIONAL APPLICATION NO. PCT/IL2004/001185
	I.A. FILING DATE	PRIORITY DATE
	12/30/2004	12/30/2003

CONFIRMATION NO. 7859
371 FORMALITIES LETTER



OC000000031149569

Date Mailed: 07/24/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 06/28/2006
- Copy of the International Search Report filed on 06/28/2006
- Preliminary Amendments filed on 06/28/2006
- Small Entity Statement filed on 06/28/2006
- Request for Immediate Examination filed on 06/28/2006
- U.S. Basic National Fees filed on 06/28/2006
- Priority Documents filed on 06/28/2006
- Specification filed on 06/28/2006
- Claims filed on 06/28/2006
- Abstracts filed on 06/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8,

2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jacob Bar-Tana and Ihor Bekersky
U.S. Serial No. : 10/585,017
Filed : as §371 national stage of PCT
International Application No.
PCT/IL2004/001185
For : METHODS OF ADMINISTERING 3,3,14,14
TETRAMETHYL HEXADECANE 1,16 DIOIC
ACID

1185 Avenue of the Americas
New York, New York 10036
July 31, 2008

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION FORWARDING SIGNED INVENTORS' DECLARATION AND
POWER OF ATTORNEY

This Communication is submitted in connection with the above-identified §371 national stage application. The inventor's Declaration and Power of Attorney which was filed with the above-identified §371 national stage application was unsigned. The United States Patent and Trademark Office has not yet issued a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) in connection with the above-identified §371 national stage application. During a July 16, 2008 telephone conversation between Mr. David Zoppo of the undersigned's office and Mr. Son Lam of the PCT Help Desk, Mr. Lam advised Mr. Zoppo that, if an applicant initially filed an unsigned inventor's Declaration, the applicant may file a signed inventor's Declaration without having yet received a Notification of Missing Requirements. Therefore, this Communication is being timely filed.

Applicants: Jacob Bar-Tana and Ihor Bekersky
U.S. Serial No.: 10/585,017
Filed: as §371 national stage of PCT International Application
No. PCT/IL2004/001185
Page 2

Pursuant to 37 C.F.R. §1.497(a), applicants attach hereto as **Exhibit 1** a signed inventors' Declaration and Power of Attorney. In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone them at the number provided below.

No fee, other than the \$65.00 declaration surcharge, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail Stop PCT,
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450


John P. White
Reg. No. 28,678

July 31, 2008

Date

Respectfully submitted,


John P. White
Registration No. 28,678
Attorney for the Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

EXHIBIT 1

EXHIBIT C

Applicant Jacob Bar-Tana and Ihor Bekersky
Client Luzzatto & Luzzatto (1567) File No. 76581 Atty. JPW/TND
Date July 31, 2008

Kindly acknowledge receipt of the accompanying

Communication Forwarding Signed Inventors' Declaration And Power Of Attorney in connection with Jacob Bar-Tana and Ihor Bekersky, Methods of Administering 3,3,14,14-Tetramethyl Hexadecane 1,16 Dioic Acid, U.S. Serial No. 10/585,017, filed June 28, 2006; §371 national stage of PCT International Application No/ PCT/IL2004/001185, filed December 30, 2004, claiming priority of U.S. Provisional Application No. 60/533,639, filed December 30, 2003, including signed Declaration and Power of Attorney as **Exhibit 1**; a check in the amount of \$65.00; and a Certificate of Mailing dated July 31, 2008.

[Signature] IAP04Rec'd PCT 04 AUG 2008
by placing your receiving date stamp hereon and returning to us.

Applicants: Jacob Bar-Tana and Ihor Bekersky
U.S. Serial No.: 10/585,017
Filed: as §371 national stage of
PCT/IL2004/001185
Exhibit C